

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|-------------------------------------------------|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| | : | |
| v. | : | DATE FILED: _____ |
| | : | |
| PAUL DOUGLAS CLUGH | : | VIOLATIONS: |
| | : | 18 U.S.C. § 922(g)(1) (possession of |
| | : | a firearm by a convicted felon -1 count) |
| | : | 18 U.S.C. § 922(g)(8) (possession of a |
| | : | firearm while subject to a protection |
| | | order - 1 count) |
| | | Notice of additional factors |
| | | Notice of forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 4, 2004, in Montgomery County, in the Eastern District of
Pennsylvania, defendant

PAUL DOUGLAS CLUGH,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Beretta Model 92, 9 mm pistol, serial number BER 167990Z, loaded with 16 live cartridges of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 4, 2004, in Montgomery County, in the Eastern District of Pennsylvania, defendant

PAUL DOUGLAS CLUGH

possessed in and affecting commerce a firearm, that is, a Beretta Model 92, 9 mm pistol, serial number 167990Z, loaded with 16 live cartridges of ammunition, while being subject to a court order that (1) issued after a hearing at which the defendant received actual notice and at which the defendant had an opportunity to participate, (2) restrained him from harassing and threatening an intimate partner, and engaging in conduct that would place an intimate partner in reasonable fear of bodily injury, and (3) explicitly prohibited the use, attempted use, and threatened use of physical force against an intimate partner that would reasonably be expected to cause bodily injury.

In violation of Title 18, United States Code, Section 922(g)(8).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

In committing the offenses charged in this indictment, defendant, PAUL CLUGH:

- a. Committed an offense in which a firearm was stolen, as described in U.S.S.G. § 2K2.1(b)(4).
- b. Used and possessed the firearm and ammunition in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 922(g)(8), set forth in this indictment, defendant

PAUL DOUGLAS CLUGH

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offenses including:

- (1) a Beretta Model 92, 9 mm pistol, serial number 167990Z;
- (2) 16 live cartridges of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY